

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

FILED
CHARLOTTE, NC

SEP 06 2011

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

U.S. COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

PRESTIGE CAPITAL ADVISORS, LLC, a
Delaware Limited Liability Company, D2W
CAPITAL MANAGEMENT, LLC, a North
Carolina Limited Liability Company, and
TOBY D. HUNTER, an individual,

Defendants.

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CASE NO. 3:11cv431
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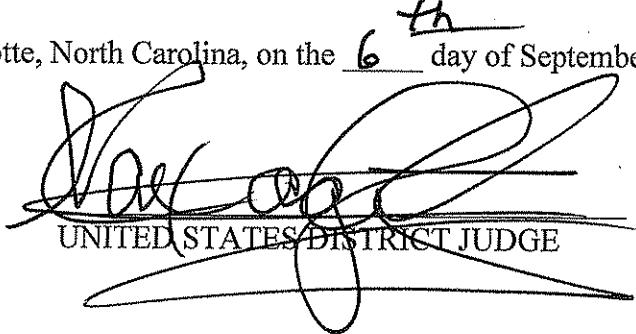
EX PARTE ORDER
TEMPORARILY SEALING ENTIRE DOCKET

Plaintiff, U.S. Commodity Futures Trading Commission (“Commission” or “Plaintiff”), has filed a complaint for permanent injunction and other relief, and moved *ex parte*, pursuant to Section 6c of the Commodity Exchange Act, as amended (“Act”), to be codified at 7 U.S.C. § 13a-1, for a statutory restraining order that, among other things, would freeze Defendants’ assets, prohibit Defendants from destroying any business records, and allow the Commission complete access to inspect and to copy Defendants’ records, wherever situated. The Commission has further moved *ex parte* to temporarily seal the entire docket in this matter pending entry of the statutory restraining order and service of same on Defendants. In consideration of the memorandum filed by the Commission in support of its motion to seal and for good cause shown:

IT IS HEREBY ORDERED that Plaintiff’s *ex parte* motion to temporarily seal entire docket is GRANTED and that such file be temporarily sealed. The seal will expire upon

the earlier of: (1) seventy-two hours following issuance of the requested *ex parte* statutory restraining order; or (2) when counsel for the Commission informs the clerk of court that the seal is no longer necessary.

IT IS SO ORDERED, at Charlotte, North Carolina, on the 6th day of September, 2011, at 11 A.m.



The image shows a handwritten signature in black ink, appearing to read "Walter J. Cole". Below the signature, the text "UNITED STATES DISTRICT JUDGE" is printed in a standard font.